



COMMONWEALTH OF PENNSYLVANIA

May 31, 2023

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Application of Towamencin Township, Pursuant To 66 Pa. C.S. § 1102(A), For A Certificate of Public Convenience to Offer, Furnish, Render, And Supply Wastewater Service to the Public in Certain Portions of Worcester Township, Lower Salford Township, Franconia Township and Lansdale Borough, All in Montgomery County, Pennsylvania / Docket No. A-2023-3040661

Dear Secretary Chiavetta:

Enclosed please find the Notice of Intervention, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Nakea S. Hurdle

Nakea S. Hurdle
Assistant Small Business Advocate
Attorney ID No. 203633

Enclosures

cc: Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application Of Towamencin Township, :
Pursuant To 66 Pa. C.S. § 1102(A), For A :
Certificate Of Public Convenience To :
Offer, Furnish, Render, And Supply :
Wastewater Service To The Public In : Docket No. A-2023-3040661
Certain Portions Of Worcester Township, :
Lower Salford Township, Franconia :
Township And Lansdale Borough, All In :
Montgomery County, Pennsylvania :**

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Application that was filed with the Pennsylvania Public Utility Commission (“PUC” or “Commission”) on May 12, 2023, by Towamencin Township (“Applicant” or “Township”), with respect to its request for a Certificate of Public Convenience, *Nunc Pro Tunc*, to offer, furnish, render and supply wastewater service to the public in certain portions of Worcester Township, Lower Salford Township, Franconia Township and Lansdale Borough, and all of Montgomery County, Pennsylvania pursuant to Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a). Applicant’s application filed on May 12, 2023, also requests a Certificate to Abandon Service upon the closing of a proposed sale of substantially all of the Applicant’s assets comprising the Applicant’s wastewater system to the Pennsylvania-American Water Company (“PAWC” or “Company”) pursuant to Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a). In support of this Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50) to represent the interest of small business customers as a party in proceedings before the Commission.

2. Intervention in this case is necessary to ensure that the interests of small business customers served by the Applicant are adequately represented.

3. Representing the OSBA in this proceeding is:

Nakea Hurdle
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
nhurdle@pa.gov

/s/ Nakea Hurdle

Nakea Hurdle
Assistant Small Business Advocate
Attorney ID No. 312245

Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: May 31, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application Of Towamencin Township, :
Pursuant To 66 Pa. C.S. § 1102(A), For A :
Certificate Of Public Convenience To :
Offer, Furnish, Render, And Supply :
Wastewater Service To The Public In : Docket No. A-2023-3040661
Certain Portions Of Worcester Township, :
Lower Salford Township, Franconia :
Township And Lansdale Borough, All In :
Montgomery County, Pennsylvania :**

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the May 12, 2023, Application filed by Towamencin Township (“Applicant” or “Township”) requesting a Certificate of Public Convenience to offer, furnish, render and supply wastewater service to the public in certain portions of Worcester Township, Lower Salford Township, Franconia Township and Lansdale Borough, and all of Montgomery County, Pennsylvania, and a Certificate to Abandon Service upon the closing of a proposed sale of substantially all of the Applicant’s assets comprising the Applicant’s wastewater system to the Pennsylvania-American Water Company (“PAWC” or “Company”) pursuant to Pennsylvania Public Utility Code, 66 Pa. C.S. § 1102(a). The Small Business Advocate files this Intervention against the Applicant’s Application for their request for a Certificate of Public Convenience and Certificate to Abandon Service. A thorough inquiry by

the Public Utility Commission into all of the elements involving the Applicant's requests is necessary to ensure that the Applicant's small business customers will continue being provided safe, adequate and reliable service at a reasonable cost.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed requests. The Small Business Advocate will ask the Commission to deny the Application as filed by the Applicant, and to conduct a full investigation, including evidentiary hearings, into the Application to ensure that the transaction would not increase the water rates of the Applicant's small business customers.

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Dated: May 31, 2023

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: May 31, 2023



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application Of Towamencin Township, :
Pursuant To 66 Pa. C.S. § 1102(A), For A :
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Township And Lansdale Borough, All In :
Montgomery County, Pennsylvania :**

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
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crainey@pa.gov

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DATE: May 31, 2023

/s/ Nakea S. Hurdle

Nakea S. Hurdle
Assistant Small Business Advocate
Attorney ID No. 203633